

RULE 5.1

FILING AND SERVICE OF PLEADINGS

(a) Place of Filing

Unless otherwise ordered by the Court, original actions and papers shall be filed with the Clerk of Court.

(b) Electronic Filing and Service (CM/ECF)

- (1) Filing. Pursuant to Federal Rule of Civil Procedure 5(e) and Federal Rule of Criminal Procedure 49(d), the Clerk's office will accept papers filed, signed, or verified by electronic means that are consistent with technical standards that the Judicial Conference of the United States establishes. A paper filed by electronic means in compliance with this rule constitutes a written paper for the purpose of applying these rules and the Federal Rules of Civil and Criminal Procedure.

No papers shall be submitted to the Court for filing by means of a facsimile machine without prior leave of Court.

- (2) Service. Pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Criminal Procedure 49(b), receipt of the Notice of Electronic Filing generated by the Court's Electronic Case Filing System shall constitute the equivalent of service of the pleading or other paper on persons.

(c) Service by Other Electronic Means

Service of pleadings or other documents by other means, including electronic means, is effective and complete on transmission when made pursuant to Fed.R.Civ.P. 5(b)(2)(D), and consented to in writing by the person served. Service by other means is effective when consented to by the recipient. Absent written consent, service by electronic means remains ineffective.

Service by electronic means under Fed.R.Civ.P. Rule 5(b)(2)(D) is not effective if the party making service learns that the attempted service did not reach the person to be served.

The Clerk of Court shall establish a **Registry of Consent** identifying those members of the Bar that have consented in writing to service by electronic transmission by completion and filing with the Clerk of a "Notice of Consent to Electronic Service" available at the Clerk's Office or at the District Court's website (www.prd.uscourts.gov). The "Notice of Consent to Electronic Service" shall be notified to the Clerk by e-mail, hand, facsimile or by certified mail, return receipt requested.

Consent to service by electronic transmission is valid for all cases in which the consenting attorney has filed an appearance and will remain in effect until the consenting attorney files written revocation with the Clerk, at which time his or her name will be stricken from the Registry of Consent.

(d) Administrative Procedure for Filing and Service

The Court will establish from time to time, by means of a standing order or otherwise, the process governing electronic filing and service by electronic means using the Court's transmission facilities, as well as those instances in which documents shall be filed conventionally and not electronically.

(e) Additional Time After Service/Effect on Time Computation

Parties receiving service by electronic means are entitled to three (3) additional days to respond pursuant to Fed.R.Civ.P. 6(e).

(f) Service of Process

Electronic service shall not be used for service of process.